

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA)	CR 419-3
)	
v.)	
)	
JOHN DI BLASI)	
)	

**GOVERNMENT'S RESPONSE TO DEFENDANT'S
MOTION FOR RETURN OF PROPERTY**

The United States of America, by and through Bobby L. Christine, United States Attorney for the Southern District of Georgia, hereby responds to Defendant John Di Blasi's Motion for Return of Property Pursuant to Federal Rule of Criminal Procedure 41(g). (ECF No. 36, 37.)

1. In January 2019, Defendant John Di Blasi was indicted for conspiracy to unlawfully distribute oxycodone in violation of 21 U.S.C. § 846. Defendant pleaded guilty to this offense and, in June 2019, the Court sentenced Defendant to a term of 33 months of imprisonment.

2. On April 6, 2020, Defendant filed a motion for return of property pursuant to Federal Rule of Criminal Procedure 41(g). In his motion, Defendant asks the Court to order the return of all property seized from his medical clinic and from his person upon his arrest at the Miami International Airport. *See* ECF No. 36.

3. On June 2, 2020, Defendant filed a letter with the Court indicating that he had been "released from Coleman Federal Correctional Complex under

guidelines set forth by the CARES Act of 2020 to my home in New York.”

Defendant requests that any property be returned to his home address at 4325 Woodside Road, Lawtons, NY 14091-9616. *See* ECF No. 37.¹

4. The undersigned AUSA has consulted with the lead agent in this case, DEA Special Agent Eric Kruger, about the property listed in Defendant’s motion. As explained herein, the Government has possession of and is able to return certain seized electronic devices to Defendant. The Government cannot return other property listed in Defendant’s motion because the property has been either returned to Defendant’s wife, or the property has been lawfully destroyed pursuant to DEA’s evidence policy and protocol.

5. With respect to the property seized from Defendant’s medical clinic, Defendant specifically requests the return of the following: (1) Clover Merchant Services Unit Touchpad; (2) Desktop Computer Tower; (3) ASUS Tablet (Computer); (4) Cellular Telephone; (5) Miscellaneous Patient Files / Office Records; (6) Unspecified Contents of Safe / Lockbox / Desk Drawers (with the exception of medications); and (7) any other items seized and listed in the evidence / property log signed by the lead DEA agent.

6. The Government hereby provides notice to the Court and Defendant that the Government has in its possession and can return to Defendant the

¹ The undersigned AUSA has not been involved in, or made aware of, any custody determinations involving the Defendant under the CARES Act. According to the BOP website, Defendant is currently attending the Residential Reentry Management Field Office in Pittsburgh, Pennsylvania, with an address of 1000 Liberty Avenue, Suite 1315, 15222.

following electronic devices: (1) Clover Station Tablet (S/N C0104Q64210178) (DEA N-16); (2) Dell Computer Tower with power cord, Model D15M, CN-079V5-1-7 (DEA N-14); (3) Asus Google Chromebook (S/N F7NLCX07476S29F) (DEA N-15); (4) ZTE Flip Cellphone with power cord (S/N 329F66043C77) (DEA N-13).

7. All other items seized from Defendant's medical clinic, specifically including any miscellaneous patient files, office records, and any unspecified contents of a safe, lockbox, and desk drawer, have been or will be destroyed pursuant to DEA's evidence policy and protocol.

8. With respect to property seized from Defendant upon his arrest at Miami International Airport, Defendant specifically requests the return of the following: (1) three suitcases (including clothing / personal effects); (2) dufflebag; (3) rolling carry-on bag (containing HP Laptop Computer, Apple iPad, miscellaneous valuables including Bulova watch, Gucci watch, Movado watch, Rolex watch, and a wedding band); (4) Stetson cowboy hat; (5) suede leather sportscoat; (6) custom old watch with Free Mason logo; (7) Apple iPhone with wallet case; (8) two forms of identification (Georgia Driver's License and U.S. Passport); (9) one leather belt with gold buckle; (10) cash in the approximate amount of \$7,800; and (11) any other items seized by arresting agents from Di Blasi at Miami Airport.

9. The Government hereby provides notice to the Court and Defendant that it has in its possession and can return to Defendant the following electronic devices seized from his airport luggage: (1) white Apple iPhone with charging

block, black cell phone cord (N-36); and (2) black flash drive located in black business bag (N-37).

10. All other items seized from Defendant at the Miami Airport, specifically including his luggage and all personal effects, such as U.S. currency, computers, tablet, watches, clothing, identification documents, cowboy hat, and leather belt, were returned to Defendant's wife, Melissa Di Blasi, on January 18, 2019 at the Chatham County Narcotics Team office at 71 Ross Road, Savannah, Georgia 31405. The DEA no longer has possession of any of these items seized from Defendant at the Miami airport.

11. To release the electronic devices noted herein to Defendant, Defendant or an authorized representative must fill out the appropriate paperwork, including DEA Form 12. The Government cannot mail evidence to Defendant at an unverified residential address. The Government accordingly requests that Defendant contact DEA Special Agent Eric Kruger at 571-362-3950 to make in-person arrangements for the receipt of the electronic devices.

Respectfully submitted,

BOBBY L. CHRISTINE
UNITED STATES ATTORNEY

/s/ Matthew A. Josephson
Assistant United States Attorney
Georgia Bar No. 367216

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney certifies that a copy of this Motion has been filed on ECF and delivered to the defendant at his requested address of 4325 Woodside Road, Lawtons, NY 14091-9616. The undersigned also has emailed a copy of this filing to the attorney of record for Defendant's criminal case.

Respectfully submitted,

BOBBY L. CHRISTINE
UNITED STATES ATTORNEY

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